

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:07CR54(2)

-vs-

District Judge Thomas M. Rose

CARLOS GARRISON

Defendant

**ENTRY AND ORDER DENYING DEFENDANT'S MOTION TO RECONSIDER
DETENTION AND REQUEST FOR BOND (DOC. #37)**

This matter comes before the Court pursuant to Defendant's Request for the Court to Review the Detention Order previously issued by Magistrate Judge Sharon Ovington on August 21, 2007.

Present in Court was Defendant, Carlos Quinton Garrison, represented by Attorney Antony Abboud and Assistant United States Attorney, Brent Tabacci.

Defendant is charged by indictment with Possession of a Firearm by a Convicted Felon in violation of Title 18 U.S.C. §922(g)(1) and §924(a)(2). Pursuant to Title 18 U.S.C. 3145(b) the Defendant filed a Motion to Reconsider Detention and the Request for Bond on August 22, 2007.

Under §3142(e), the Defendant shall be detained pending trial if, after a hearing, the judicial officer finds no condition or set of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community. In considering the Defendant's detention, the Magistrate Judge and this Court, pursuant to 18 U.S.C. §3142(g),

looked to (1) the nature and circumstances of the offense charged; (2) the weight of evidence against the person; (3) the history and characteristics of the Defendant and (4) the nature and seriousness of the damage to any person or the community that would be posed by the Defendant's release.

As found by the Magistrate Judge and confirmed by this Court, Defendant has numerous criminal convictions including (3) prior felonies. The Defendant also appears to have three outstanding warrants from two municipal courts.

This Court has grave concerns about this Defendant's past criminal convictions as they compare to the nature and seriousness of the offense charged. These convictions and now pending charges cause this Court to have grave reservations about this Defendant's possible release from detention and the resulting danger to the community.

Based upon counsel's presentations and for the reasons stated upon the record in open Court and through this Entry, this Court, as did the Magistrate, finds by clear and convincing evidence that no condition or combination of conditions set forth in 18 U.S.C. 3142(c) would reasonably assure the appearance of the Defendant as required and also the safety of the community as a whole.

Therefore, the Defendant's Motion to Reconsider Detention and Request For Bond is DENIED.

August 24, 2007

s/THOMAS M. ROSE

JUDGE THOMAS M. ROSE
UNITED STATES DISTRICT COURT